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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN FIGGERS,

Defendant.

2:21-CR-202-JAD-BNW

Final Order of Forfeiture

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c); 18 U.S.C. § 924(d)(1), (2)(C), and (3)(A) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(p) based upon the plea of guilty by Kevin Figgers to the criminal offenses, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information and shown by the United States to have the requisite nexus to the offenses to which Kevin Figgers pled guilty. Criminal Information, ECF No. 31; Plea Agreement, ECF No. 33; Arraignment & Plea, ECF No. 35; Preliminary Order of Forfeiture, ECF No. 37.

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov,

1 consecutively from August 27, 2021, through September 25, 2021, notifying all potential
2 third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF
3 No. 42-1, p. 5.

4 This Court finds the United States notified known third parties by personal service
5 and by regular mail and certified mail return receipt requested of their right to petition the
6 Court. United States Marshals Service Return, ECF No. 41; Amended Notice of Filing
7 Service of Process – Mailing, ECF No. 44.

8 On September 24, 2021, and September 27, 2021, the United States Marshals Service
9 attempted to personally serve Daniel Figgers with copies of the Preliminary Order of
10 Forfeiture and the Notice. United States Marshals Service Return, ECF No. 41.

11 On September 21, 2021, the United States Attorney's Office attempted to serve The
12 Estate of Claude Shipp III with copies of the Preliminary Order of Forfeiture and the Notice
13 through regular mail and certified mail return receipt requested. The regular and certified
14 mail were both returned as deceased and unable to forward. Amended Notice of Filing
15 Service of Process – Mailing, ECF No. 44-1, p. 3-18.

16 On September 21, 2021, the United States Attorney's Office attempted to serve
17 Daniel Figgers at Las Vegas, NV, 89103, with copies of the Preliminary Order of Forfeiture
18 and the Notice through regular mail and certified mail return receipt requested. The regular
19 and certified mail were returned as not deliverable. Amended Notice of Filing Service of
20 Process – Mailing, ECF No. 44-1, p. 3-12, 19-23.

21 On September 21, 2021, the United States Attorney's Office served and attempted to
22 serve Daniel Figgers at Las Vegas, NV, 89118, with copies of the Preliminary Order of
23 Forfeiture and the Notice through regular mail and certified mail return receipt requested.
24 The regular mail has not been returned. The USAO believed the certified mail was delivered
25 on September 23, 2021, based on information provided by the United States Postal Service
26 tracking system. Amended Notice of Filing Service of Process – Mailing, ECF No. 44-1, p.
27 3-12, 24-27. However, the certified mail was later returned as unclaimed and unable to
28 forward. *Id* at 29-31.

asc 2:21

1 This Court finds no petition was filed herein by or on behalf of any person or entity
2 and the time for filing such petitions and claims has expired.

3 This Court finds no petitions are pending regarding the property named herein and
4 the time has expired for presenting such petitions.


5 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
6 all possessory rights, ownership rights, and all rights, titles, and interests in the property
7 hereinafter described are condemned, forfeited, and vested in the United States pursuant to
8 Fed. R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C.
9 § 981(a)(1)(C) with 28 U.S.C § 2461(c); 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c); 18
10 U.S.C. § 924(d)(1), (2)(C), and (3)(A) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(p); and 21
11 U.S.C. § 853(n)(7) and shall be disposed of according to law:

- 12 1. \$4,227;
- 13 2. a black Hi-Point C9 9mm handgun, bearing serial number P1492881; and
- 14 3. any and all compatible ammunition
- 15 (all of which constitutes property).

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all
17 forfeited funds, including but not limited to, currency, currency equivalents, certificates of
18 deposit, as well as any income derived as a result of the government's management of any
19 property forfeited herein, and the proceeds from the sale of any forfeited property shall be
20 disposed of according to law.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
22 copies of this Order to all counsel of record.

23 DATED Dec. 6, 2021.

24
25
26 
27 JENNIFER A. DORSEY
28 UNITED STATES DISTRICT JUDGE